

REMARKS

This Amendment accompanies a Request for Continued Examination and addresses the issues outstanding from the final Office Action dated November 5, 2004. Applicant respectfully requests favorable reconsideration of this application in view of the amendments and remarks presented herein.

Without acceding to the rejections under 35 U.S.C. § 112, first paragraph, each of independent Claims 16 and 28 has been amended to delete the recitations concerning a fetched schedule, and instead to recite "receiving information to cause the user station to watch for at least one desired data object in the broadcast data stream." This language is clearly supported by the specification as originally filed. See, for example, page 39, lines 4-7. Additionally, in view of the Examiner's Response to Arguments at pages 9-10 of the outstanding Office Action, each of Claims 16 and 28 has been amended to clarify that the object identifier contained in the broadcast data stream is used for capturing and storing the desired data object. Thus, as now set forth, the desired data object is captured and stored based on the aforementioned information and the object identifier contained in the broadcast data stream.

The Young reference relied upon in the outstanding rejection in Claims 16 and 28 under 35 U.S.C. § 102(b) teaches

capturing and storing television programs at specified times, but not based upon object identifiers, or any other information, contained in the broadcast data stream. Each of Claims 16 and 28 thus distinguishes patentably from Young. Moreover, the alleged teachings of the secondary references to Logan et al. and Hidari et al. fail to overcome the aforementioned deficiency of Young with respect to Claims 16 and 28, at least as presently amended.

Accordingly, Claims 16 and 28, and their respective dependents are now in condition for allowance. A Notice of Allowance is therefore respectfully solicited.

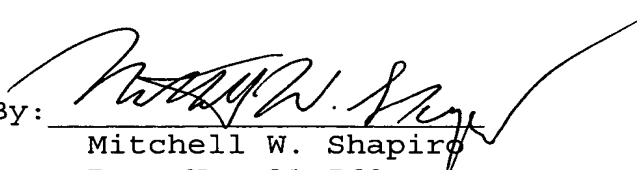
The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

MWS:sjk

Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, Virginia 22102
(703) 903-9000

By:


Mitchell W. Shapiro
Reg. No. 31,568

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